

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 364

Introduced by Flood, 19

Read first time January 12, 2007

Committee: Revenue

A BILL

1 FOR AN ACT relating to inheritance tax; to amend section 77-2014,
2 Reissue Revised Statutes of Nebraska; to change the
3 apportionment of tax revenue; and to repeal the original
4 section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 77-2014, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 77-2014 (1) Every sum of money retained by an executor,
4 administrator, or trustee, or paid into his or her hands for any
5 tax on any property, shall be paid by him or her within thirty
6 days thereafter to the county treasurer of the proper county, and
7 the county treasurer shall give, and every executor, administrator,
8 or trustee shall take a receipt from him ~~of said~~ or her of such
9 payments.

10 (2) (a) For purposes of this section, proper county shall
11 mean the county of the decedent's residence, except (i) when the
12 decedent had an interest in real property located in a county other
13 than his or her residence at the time of the death of the decedent,
14 the words proper county shall mean the county in which the real
15 property is situated, or (ii) when the decedent had an interest in
16 personal property subject to being listed and assessed for personal
17 property taxation at the time of the death of the decedent, the
18 words proper county shall mean the county where the property is
19 listed and assessed.

20 (b) When the decedent is a nonresident, proper county
21 shall mean the county provided in subdivisions (2) (a) (i) and
22 (2) (a) (ii) of this section and, as to any other property which may
23 be subject to Nebraska inheritance taxation, the county where such
24 property is located.

25 (3) The total inheritance tax assessed against the estate

1 shall be apportioned among the counties in the ratio that the
2 value of the gross property subject to tax located in each county
3 bears to the gross value of all property reportable for Nebraska
4 inheritance tax purposes. For purposes of apportionment among
5 counties, the value of those interests not subject to tax by reason
6 of sections 77-2004 and 77-2007.04 shall be included in the value
7 of the gross property subject to tax located in each county and in
8 the gross value of all property reportable for Nebraska inheritance
9 tax purposes.

10 (4) Questions that may arise as to the proper place to
11 list and assess such personal property for the purposes of sections
12 77-2001 to 77-2037 shall be determined pursuant to procedure set
13 forth in sections 77-2018.01 to 77-2027.

14 Sec. 2. Original section 77-2014, Reissue Revised
15 Statutes of Nebraska, is repealed.